

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the above amendments and in light of the following discussion, is respectfully requested.

Claims 11-22 are pending. In the present amendment, Claims 11, 12, and 14-18 are currently amended and new Claims 21 and 22 are added. Support for the present amendment can be found in the original specification, for example, at page 5, lines 12-20, at page 6, line 15 to page 7, line 8, and in original Figures 1-5. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 11-20 were rejected under 35 U.S.C. § 112, second paragraph; Claims 11-15 were rejected under 35 U.S.C. § 102(b) as anticipated by Abbott et al. (U.S. Patent No. 5,244,133, hereinafter “Abbott”); and Claims 16-20 were indicated as including allowable subject matter.

Applicants wish to thank Primary Examiner Gary Elkins for taking the time to discuss the present application with Applicants’ representative, Colin Harris, on April 12, 2011. During the discussion, Applicants’ representative presented proposed claim amendments, similar to those above, and Examiner Elkins suggested clarifying that the lever engages with the sleeve. The present amendment was prepared in accordance with this suggestion and is hereby presented for formal consideration.

Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 16-20. However, as Applicants believe that independent Claim 11 is allowable, Claims 16-20 are maintained in dependent form for the present time.

The specification is hereby amended to add appropriate section headings. It is respectfully submitted that no new matter is added.

In response to the rejection of Claims 11-20 under 35 U.S.C. § 112, second paragraph, Applicants respectfully submit that the amended claims address each of the issues identified

in Section 1 on pages 2 and 3 of the Office Action. It is respectfully submitted that no new matter is added.

During the interview, Examiner Elkins indicated that the proposed claims overcame the rejection under 35 U.S.C. § 112, second paragraph. Thus, in view of the above amendments, Applicants believe that each pending claim is definite and requests that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn. However, if the Examiner disagrees, Applicants respectfully request that the Examiner contact Applicants' undersigned representative, Colin Harris, who will be happy to discuss mutually acceptable claim language.

Turning now to the rejection of Claims 11-15 under 35 U.S.C. § 102(b), Applicants respectfully request reconsideration of this rejection, and traverse this rejection, as discussed below.

Claim 11 recites a load carrier comprising a longitudinal arm, a lever, return means, and means for locking that includes a handle and a part forming a cam. As can be seen in Figures 2-5, to engage the lever of the load carrier with a sleeve of the vehicle, once the load carrier is positioned within the sleeve, the handle of the locking means is rotated to a position that prevents the lever from rotating with respect to the longitudinal arm. Thus, in the exemplary embodiment shown in Figure 5, because the lever 24 cannot rotate around pin 26 in the counterclockwise direction, the slot 40 of the load carrier remains engaged with the finger 36 of the sleeve 18. Thus, the load carrier is attached to the vehicle.

It is respectfully submitted that the cited reference does not disclose or suggest every feature recited in independent Claim 11.

Abbott describes a carrier rack that could be mounted to a road vehicle, the carrier rack including a coupling assembly 70 that comprises an upper channel 72 and a lower

channel 80.¹ The upper channel 70 is connected to the lower channel 80 by two links 86.² As can be seen in Figures 6 and 7 the links 86 are attached to the upper channel 72 with pins 88 and attached to the lower channel 80 with pins 92. Thus, by tightening nut 110, the lower channel 80 moves in the left direction of Figure 7 such that the links 86 rotate around pins 88, 92 to force upper channel 72 and lower channel 80 apart.

However, it is respectfully submitted that Abbott does not disclose or suggest “a lever, one end of which is mounted to rotate, with respect to the arm, on a transverse pin carried by the end of the arm and passing through the lever,” as recited in amended Claim 11.

Instead, as discussed above, the pin 88 around which the lower channel 80 rotates does not also pass through the lower channel 80. On the contrary, the pin 88 has to pass through the upper channel 72 so that the upper channel 72 and lower channel 80 can be spread apart in order for the coupling assembly 70 to work for its intended purpose. Thus, the lower channel 80 is not the claimed lever.

Accordingly, it is respectfully submitted that Abbott does not disclose or suggest every feature recited in independent Claim 11. Thus, it is respectfully requested that the rejection of Claim 11, and all claims dependent thereon, as anticipated by Abbott be withdrawn.

New Claims 21 and 22 are added by the present amendment. Support for new Claims 21 and 22 can be found in the original specification, for example, at page 5, lines 16-20, at page 6, line 15 to page 7, line 8, and in Figures 1-5. Thus, it is respectfully submitted that no new matter is added. Further, as Claims 21 and 22 depend on Claim 11, Applicants respectfully submit that Claims 21 and 22 patentably define over Abbott for at least the reasons discussed above with respect to Claim 11.

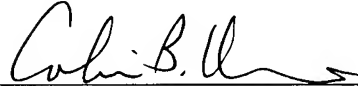
¹ See Abbott, at column 4, lines 33-37 and in Figures 5-7.

² See Abbott, at column 4, lines 41-43 and in Figure 6 and 7.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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